

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA, )  
v. ) ) Criminal No. 1:15-cr-048  
 ) and  
BEAU BRANDON CROGHAN, ) ) Criminal No. 1:15-cr-051  
and )  
STEVEN SHANE HORTON, ) ) MOTION TO EXTEND  
 ) RESPONSE TIME  
Defendant. )

COMES NOW the undersigned Assistant United States Attorney for and on behalf of the United States of America, and moves the Court for an Order continuing the government's response date to file a resistance to the defendant's Motion to Suppress, filing Number 33, for at least 30 days and continue the response date for *United States v. Horton* for seven days. In support of said continuance the undersigned Assistant United States Attorney advise the Court of the following:

- 1) Each Defendant has filed a Motion to Suppress primarily based on the theory that a search warrant used to identify each defendant's computer was constitutionally defective;
- 2) That this issue is being litigated in numerous venues throughout the United States and all responses are to be discussed with the Department of Justice prior to filing;
- 3) That the legal argument for each of these cases will be essentially the same and that if consolidated any evidentiary hearing, if deemed necessary, could be consolidated;
- 4) That neither defendant is in custody at this time, and that resolution of this issue will likely resolve each case on the District Court level;
- 5) That the current response date for *United States v. Horton* is July 22, 2016;
- 6) The undersigned Assistant United States Attorney has spoken to defense counsel for each defendant and neither objects to a response date of July 29, 2016.

That to prepare a uniform response in each of the cases listed above, and to allow coordination with the Department of Justice, the undersigned Assistant United States Attorney requests the government's response date for each case to be set as no later than July 29, 2016.

Respectfully Submitted,

Kevin E. VanderSchel  
United States Attorney

By: S/Richard E. Rothrock  
Richard E. Rothrock  
Assistant United States Attorney  
and  
Katherine A. McNamara  
Assistant United States Attorney  
P.O. Box 1887  
Council Bluffs, Iowa 51502  
Tel: (712) 256-5009  
Email: Richard.Rothrock@usdoj.gov  
Email: Katherine.McNamara@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I hereby certify that a copy of this document was served on the parties or attorneys of record by:

U.S. Mail  Fax  Hand Delivery

ECF/Electronic filing  Other means

UNITED STATES ATTORNEY

By: /s/PAC  
Paralegal Specialist